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# 2  
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of )

Wilson et al. )

Application No: 09/490,630 )

Filed: January 24, 2000 )

For: METHODS FOR IMPLEMENTING AN )  
ETHERNET STORAGE PROTOCOL IN )  
COMPUTER NETWORKS )

Examiner: Unassigned

Art Unit: 2756

May 3, 2000

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MAY 26 2000

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on May 3, 2000.

Signed: \_\_\_\_\_

Kay Harlow

PETITION TO THE COMMISSIONER TO CORRECT FILING DATE OF AN APPLICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The above-referenced patent application was filed on January 24, 2000. However, the Application Processing Division has accorded a filing date of January 27, 2000 as evidenced by the enclosed Filing Receipt. Accordingly, the Applicant hereby petitions the Commissioner to correct the filing date for the above-referenced application.

The above-identified application was deposited with the U.S. Postal Service on January 24, 2000 and included an Express Mail Certificate signed by the person who deposited the application. A copy of the transmittal including the Express Mail Certificate is included herewith. The Express Mail Certificate also shows the "date-in" box filled in by the USPS to be January 24, 2000.

Accordingly, the Commissioner is requested to grant this application the correct filing date of January 24, 2000.

Attorney Docket No. ADAPP085B

If any fees are due in connection with the filing of this Petition, including any Petition fees, the Commissioner is hereby authorized to charge such fees to our Deposit Account 50-0805 (Order No. ADAPP085B). However, because this is a USPTO error, no fees should be due for filing this petition.

If the Commissioner has any questions concerning this matter, please contact the undersigned at the number set forth below.

Respectfully submitted,  
MARTINE PENILLA & KIM, LLP

A handwritten signature in black ink, appearing to read 'Albert S. Penilla', with a stylized flourish at the end.

Albert S. Penilla, Esq.  
Reg. No. 39,487

710 Lakeway Drive, Suite 170  
Sunnyvale, CA 94086  
(408) 749-6900

## FILING RECEIPT



\*OC00000005010374\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: ASSISTANT SECRETARY AND  
COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/490,630	01/27/2000	2756	804	ADAPP085B	16	22	4

Albert S Penilla  
Martine Penilla & Kim LLP  
710 Lakeway Drive  
Suite 170  
Sunnyvale, CA 94086

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Date Mailed: 03/27/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Andrew W Wilson, Fremont, CA ;  
Paul J von Stamwitz, Mountain View, CA ;  
Laurence B Boucher, Saratoga, CA ;

## Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/117,226 01/26/1999  
WHICH CLAIMS BENEFIT OF 60/163,266 11/03/1999

## Foreign Applications

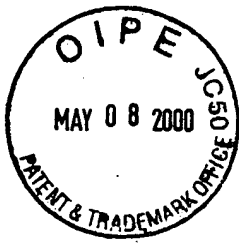
If Required, Foreign Filing License Granted 03/25/2000

## Title

Method for implementing an ethernet storage protocol in computer networks

## Preliminary Class

709



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**FROM: (PLEASE PRINT)**

PHONE ( )

MARTINE PENILLA & KIM LLP  
710 LAKEWAY DR STE 170  
SUNNYVALE CA 94086-4013

ADAPP085B

**TO: (PLEASE PRINT)**

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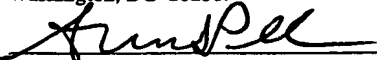
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on January 24, 2000 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR §1.10, Mailing Label Number **EL412810505US**, addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

  
Albert S. Penilla

Attorney Docket No: ADAPP085B

First Named Inventor: Andrew W. Wilson

**EL412810505US**

**UTILITY PATENT APPLICATION TRANSMITTAL (37 CFR. § 1.53(b))**  
(Regular application claiming priority of a provisional)

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

☐ Duplicate for  
fee processing

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Sir: This is a request for filing a patent application under 37 CFR. § 1.53(b) in the name of inventors:  
Andrew W. Wilson, Paul J. von Stamwitz, and Laurence B. Boucher

For: **METHODS FOR IMPLEMENTING AN ETHERNET STORAGE PROTOCOL IN COMPUTER NETWORKS**

Priority of U.S. Provisional Application No. 60/117,226 filed on January 26, 1999, and U.S. Provisional Application No. 60/163,266 filed on November 3, 1999 is claimed under 35 U.S.C. § 119(e).

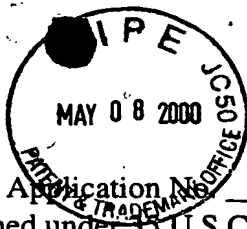
Application Elements:

- ☒ 54 Pages of Specification, Claims and Abstract
- ☒ 16 Sheets of **informal** Drawings
- ☒ Combined Declaration and Power of Attorney
- ☐ Separate Declaration

Accompanying Application Parts:

- ☒ Assignment
- ☐ Separate Power of Attorney by Assignee
- ☐ 37 CFR 3.73(b) Statement by Assignee
- ☐ Information Disclosure Statement with Form PTO-1449
- ☐ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard
- ☐ Small Entity Statement(s)
- ☐ Other:

Claim For Foreign Priority



☐ Priority of \_\_\_\_\_ Application No. \_\_\_\_\_ filed on \_\_\_\_\_  
\_\_\_\_\_ is claimed under 35 U.S.C. § 119.

☐ The certified copy is enclosed.

☐ The certified copy will follow.

☐ Amend the specification by inserting before the first line the sentence:

"This application claims the benefit of U.S. Provisional Application No. \_\_\_\_\_  
filed on \_\_\_\_\_, the disclosure of which is incorporated herein by reference."

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Fee Calculation (37 CFR § 1.16)

	(Col. 1) NO. FILED	(Col. 2) NO. EXTRA	SMALL ENTITY RATE FEE	OR	LARGE ENTITY RATE FEE
BASIC FEE			\$380 \$	OR	\$690 \$690.00
TOTAL CLAIMS	<u>22</u> -20 = <u>2</u>		x09 = \$	OR	x18 = \$36.00
INDEP CLAIMS	<u>04</u> -03 = <u>01</u>		x39 = \$	OR	x78 = \$78.00
[ ] Multiple Dependent Claim Presented			\$130 = \$	OR	\$260 = \$
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.			Total \$	OR	Total \$804.00

☒ PLEASE DO NOT CHARGE ANY FEES AT THIS TIME.

☒ The Commissioner is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 50-0805 (Order No. ADAPP085B).


General Authorization for Petition for Extension of Time (37 CFR §1.136)

☒ Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed to Deposit Account No. 50-0805 (Order No. ADAPP085B).

☒ Please send correspondence to the following address:

Albert S. Penilla  
MARTINE PENILLA & KIM, LLP  
710 Lakeway Drive, Suite 170  
Sunnyvale, CA 94086  
Tel (408) 749-6900  
Fax (408) 749-6901

Date: January 24, 2000

  
Albert S. Penilla, Esq.  
Registration No. 39,487  
Page 2 of 2



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Docket No. **ADAPP085B** Appln. No. **[REDACTED]** Date: **January 24, 2000**

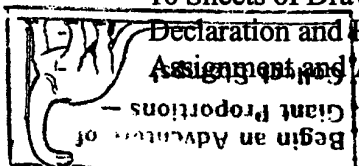
By: **ASP** Filing Date: **January 24, 2000** Express Mail No.: **EL412810505US**

Inventor(s): **Andrew Wilson et al.**

Title: **Methods for Implementing An Ethernet Storage Protocol in Computer Networks**

The following has been received in the U.S. Patent & Trademark Office on the date stamped below:

- 54 Pages Specification
- 16 Sheets of Drawings
- Declaration and Power of Attorney
- Assignment and Assignment Recordation



jc525 U.S. PTO

09/490630



01/24/00



Bib Data Sheet


**UNITED STATES DEPARTMENT OF  
COMMERCE**

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<b>SERIAL NUMBER</b> 09/490,630	<b>FILING DATE</b> 01/24/2000 <b>RULE</b> -	<b>CLASS</b> 709	<b>GROUP ART UNIT</b> 2756	<b>ATTORNEY DOCKET NO.</b> ADAPP085B
<b>APPLICANTS</b> Andrew W Wilson, Fremont, CA ; Paul J von Stamwitz, Mountain View, CA ; Laurence B Boucher, Saratoga, CA ;				
** CONTINUING DATA ***** THIS APPLN CLAIMS BENEFIT OF 60/117,226 01/26/1999 WHICH CLAIMS BENEFIT OF 60/163,266 11/03/1999				
** FOREIGN APPLICATIONS *****				
<b>IF REQUIRED, FOREIGN FILING LICENSE</b> <b>GRANTED ** 03/25/2000</b>				
Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no 35 USC 119 (a-d) conditions <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after met Allowance Verified and Acknowledged		<b>STATE OR COUNTRY</b> CA	<b>SHEETS DRAWING</b> 16	<b>TOTAL CLAIMS</b> 22
Examiner's Signature _____ Initials _____			<b>INDEPENDENT CLAIMS</b> 4	
<b>ADDRESS</b> Albert S Penilla Martine Penilla & Kim LLP 710 Lakeway Drive Suite 170 Sunnyvale ,CA 94086				
<b>TITLE</b> Method for implementing an ethernet storage protocol in computer networks				
<b>FILING FEE RECEIVED</b> 804	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees ( Filing ) <input type="checkbox"/> 1.17 Fees ( Processing Ext. of time ) <input type="checkbox"/> 1.18 Fees ( Issue ) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit	